

05-13-2003

RE: RM-10682 - Changes in Part 13

It looks as if the Original Equipment Manufacturers & Factory Authorized repair centers wish to be exempted in this rule making!
This may be a minor re-right that the commission can "pen" into this request.

A small segment of "audio tape" from a very distant repeater has been submitted to both Mr Mike Powell, Charman & also Mr. Copps Commission member.

In the "short" extract 2 ham radio operators were talking about the programing of selected police frequencys into there commerical type radio witch are also used for "Ham" communication! This tape segment was not edited! This tape segment was a extract of of a communication not protected by USC 605 or 47 CFR Section 705! Ham and CB Communications are exempt from privacy rules.

Fcc rulling PR Docket No. 91-36 exempts clearly Ham Radio that can receive this public safety communication. However the fact that the Commerical Radio's sutch as Older General Electric, Motorola, Regency, and Lots of other can be re-programed today very easy to go on Federal Government, or Local Law Enforcment Frequencys is the major problem.

Over the years of service and salvage of communication gear I've has hundreds of scrap radio some in with un-licensed or Illegal frequencys installed. The radios have been made Legal, or Scrapped for parts!

Some of the "Show-Off's" wish to even show me they could TX on police frequencys. Most of the fellows have been known to the cops for years as "police chasers" or "want to be cops"! A few have became local police officers!

A few years ago the FCC first allowed direct keyboard programing of the new programable series of radios. When the radio came on to the salvage market they started showing up in business vehicles, and private citizen, and the citizen found out how to front pannel program them to police and fire freqnecies! It was not un-common for a trucking company to have a IB business band for dispatch and even the TX for the local Public Utility Enforcment channel!

With the wide use of low cost computers, and Legal and Illegal Soft Ware, The radio "Hackers" are now programing the second generation of non-front pannel two way radio that require a service plug in!

Open communication over the Ham Radio about loading Police channels it ham or commerical gear is too common! Putting the existing programers under part 13 perhaps with out a test, by requiring filling, and future under a simple fcc laws about what they can legal program is need-ed!

Required Recordkeeping may also be need-ed to prevent the future

violations. Cutting a wire or removing a part, or adding a part, may need to be also addressed in part 2 of the rules also on a FCC type accepted or approved radio gear.

A local police department used both VHF and UHF ham radio illegal strapped to operate on 155 & 460 mhz for years, a TWP trustee when ask why the use of illegal ham radio for police radio service stated "who care", "I care they only cost hundred of dollars, not Thousands!"! This TWP now uses only commercial first line radios supplied by distant vendor! They found out no one would fix the illegal radios! The TWP has changed!

The FCC has no direct way to trace the "illegal" basement radio shop doing the illegal programming. There are 5 fellows within 40 miles who will program anything for anybody if they have the cash! There are also about 40 who will not in the same area!

The FCC action in the late 70's to mid 80's to stop the direct front panel keyboard programming worked for a while. The stiff fine for not having a commercial license or permit where required would put some additional teeth into this proposed RM!

The FCC chiefs need's to address what area this proposed RM would address, perhaps 25 Mhz to 940 Mhz, Police, Fire, and GOV'T. Last of all the areas around the GMRS / IB / Marine / CB radio services.

I hope the short "segment" of Tape will aid the matter of the making the commissioner aware that "Bold" and "No Fear" of Ham Radio talk open about loading police frequencies into their radio frequencies as a common "Drive Time" so they can break 47 CFR 97.113 while breaking local traffic laws!

On the flip side of the tape is a local "Ham" who thinks he's being harassed in his drive time to work! This would only cause more hams to load police frequencies into their illegal or legal radio gear! And of also the QRZ page to open the TX future equipment.

Dale E. Reich
330-769-3071